

Butts County Schools

181 N. Mulberry Street Jackson, GA 30233

(770) 504-2300 Fax (770) 504-2305

E-mail sbutts@peachnet.campus.net

Dr. Alan White
Superintendent

June 16, 1999

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

RE: Administrator's Decision on Appeal
Billed Entity Number: 127306
Application Number: 28211
Funding Request Number(s) Not Assigned
Correspondence Dated: May 25, 1999

In the matter of: Request for Review by Butts County Schools of Decision of Universal Service Administrator, reference FCC Docket Nos. 97-21 and 96-45.

- I. We were recently notified that our appeal to the Universal Service Administrative Co. had been denied in full. We filed an appeal with the Universal Service Administrative Company on February 5, 1999. On April 15, 1999 The Butts County Schools and Micro Technology Consultants provided letters of explanation regarding an alleged signed contract between the parties mentioned previously. We also provided copies of Purchase Orders for services and equipment that had been purchased.

On May 25, 1999 we received notification that our appeal had been denied in full.

- II. Our original documents for SLC funding were denied in writing because of "Failure to provide documentation of contract". Upon request of the SLC we provided two documents labeled Attachment B1 and B2 to establish our standing with Micro Technology Consultants. Those documents established that we were not under contract with Micro Technology Consultants and were not bound to any agreement/s with Micro Technology Consultants or any other vendor until completed Purchase Orders including signature of superintendent were received by vendor/s. Upon the vendors receipt of signed Purchase Orders are the two parties bound by a contractual agreement.

We provided supplemental documentation, copies of the ten (10) Purchase Orders for services, to verify that contracts were not entered into prior to the twenty-eight (28) day posting period of the Form 470. A list of those Purchase Orders and copies of Purchase Orders with Vendor Name, Purchase Order numbers and SLC# are provided as Attachment B3.

- III. Our appeal to the Universal Service Administrative Company was denied since the proposal for services was dated prior to the expiration of the FCC required twenty-eight (28) day posting period of the Form 470. According to CC Docket Nos. 97-21, 96-45 Part 54-Universal Service Section 54.504 (3) "After posting a description of services from a school, library, or consortium of these entities on the school and library website, the Schools and Libraries Corporation shall send confirmation of the posting to the entity requesting services. That entity shall then wait at least

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four weeks from the date on which its description of services is posted on the website before making commitments with the selected providers of services. The confirmation from the Schools and Libraries Corporation shall include the date after which the requestor may sign a contract with its chosen provider(s)."

As shown by documentation: "B1, B2 and B3" A contractual agreement was not entered into until the vendor received a signed Purchase Order. Therefore, it is for this reason that we are appealing the decision dated May 25, 1999 by the Universal Service Administrative Company.

- IV. The Butts County Schools has encumbered the cost of services and equipment. Funding was appropriately applied for through the necessary Forms 470 and 471 with The Schools and Libraries Corporation in accordance with timelines set forth. The Butts County School System desires that the appropriate funding be approved and that we be provided those funds in an expeditious manner.

CC: Universal Service Administrative Company

Butts County Schools

181 N. Mulberry St.

Jackson, GA 30233

ATTACHMENT B1

April 15, 1999

Schools and Libraries Division

100 South Jefferson Road

Whippany, NJ 07981

Re: Contract Agreement

Micro Technology Consultants provided Butts County Schools with written proposals for requested work. The Butts County Schools did not enter into a contractual agreement with Micro Technology Consultants but issues a purchase order for requested work.

Our signature on the Purchase Order acknowledges acceptance of the terms of the written proposal. At the completion of the project and if all terms described in the proposal have been met then payment is made to Micro Technology Consultants.

If more clarification is needed, please contact me at 770-504-2319.

Greg Chandler

Coordinator of Technology

Butts County Schools

Micro Technology Consultants, Inc.
132 Osigian Boulevard
Warner Robins, Ga. 31088
Sales: 912-953-1921
Service: 800-689-9301
FAX: 912-953-7994

MTC

SLC Funding Committee
C/o Mr. Greg Chandler, Technology
Butts County Schools
181 N. Mulberry St.
Jackson, Ga. 30233


ATTACHMENT B2

Dear Committee Members:

MTC has been selected as the primary technology vendor for the school system. This process involved both bids and quotes. We do not use a "contract" to bind the school system to use our services. The quotes that were attached to the Butts County 471 form were simply a detailed listing of the services that were being requested for funding. Since technology and prices change throughout the life of a project, we do not hold the school system to a contract. At the time of funding, we re-do all quotes with the involvement of the school system technology staff to meet new standards.

Please feel free to call me at 912-953-1921 with any questions you may have.

Very Truly Yours,



Christy Padgett
Senior Education Systems Consultant

June 16, 1999

ATTACHMENT B3

<u>Vendor</u>	<u>PO#</u>	<u>Amount</u>	<u>SLC #</u>	<u>Amount</u>
		Cabling for Jackson High School		
MTC	99005	7,204	JHS1	\$2,250
MTC	99012	644	JHS1	
		Proxy Servers for Internet Access		
MTC	99003	11,850	BOE3	18,550
		Software for Internet Access		
Novell	99002	3,015	BOE2	995
		Network Software for Jackson Elementary School		
Novell	219902	\$1,005	JES2	\$995
		Cabling for Elementary and Primary Schools		
Net Planners	99007	35,225	JPS/JES1	10,600
MTC	99024	2,400	JPS/JES1	
MTC	99022	1,900	JES5	
			JES5	13,280
			JES3	8,400
			JES4	5,875
			JPS2	3,900
			JPS3	3,875
MTC	199-132	5,135	JPS1	13,000
		Admin Server for Jackson Elementary School		
MTC	199000	13,565	JES1	8,500

99005

**181 N. Mulberry St.
Jackson, GA 30233
(770) 504-2300 Fax (770) 504-2305**

MTC

Address:	132 Osigian Blvd.
Address:	Warner Robins, GA 31088
PHONE:	800-689-9301
FAX:	912-953-7994

Order date:7/28/98	Date:7/28/98	Partial shipments allowed. Cancel backorders after 60 days
SHIP TO: Butts County Schools		BILL TO: BUTTS COUNTY SCHOOLS
181 N. Mulberry St.		181 N. Mulberry Street
Jackson, GA 30233		Jackson, GA 30233

Approved by Principal:

[illegible]

Sub Total	\$ 7,204.00
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Shipping & Handling

Total Amount	\$ 7,204.00
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Supplies (610)	\$ -	Textbooks (641)	\$ -
Software (612)	\$ -	Books & Periodicals (642)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ 7,204.00	Computer (734)	\$ -
Repairs (430)	\$ -	Postage (530)	\$ -

99012

(770) 504-2340 Fax (770) 504-2341

MTC

FAX: **912-953-7994**

Order date:9/8/98	Date:9/8/98	Partial shipments allowed. Cancel backorders after 60 days
SHIP TO: JACKSON HIGH SCHOOL		BILL TO: BUTTS COUNTY SCHOOLS
323 Harkness Street		181 N. Mulberry Street
Jackson, GA 30233		Jackson, GA 30233

Approved by Principal:

[illegible]

Please notify us of price increases over 10% of order.

Sub Total	\$ 644.00
Shipping & Handling	
Total Amount	\$ 644.00

Supplies (610)	\$ -	Textbooks (641)	\$ -
Software (612)	\$ -	Books & Periodicals (642)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ 644.00	Computer (734)	\$ -
Repairs (430)	\$	Postage (530)	\$

PURCHASE ORDER NUMBER

99003

Butts Co. Schools

181 N. Mulberry St.
 Jackson, GA 30233
 (770) 504-2300 Fax (770) 504-2305

Vendor Name

MTC

Address: 132 Osigian Blvd.
 Address: Warner Robins, GA 31088
 PHONE: 800-689-9301
 FAX: 912-953-7994

VENDOR INSTRUCTIONS

Order date: 7/28/98	Date: 7/28/98	Partial shipments allowed. Cancel backorders after 60 days
SHIP TO: Butts County Schools		BILL TO: BUTTS COUNTY SCHOOLS
181 N. Mulberry St.		181 N. Mulberry Street
Jackson, GA 30233		Jackson, GA 30233

INTERNAL USE ONLY

Ordered by: *Chamblee*
 Dept.: Lottery FY 99
 Approved by Principal: *Alfred White*

ITEM NO.	QTY.	ITEM DESCRIPTION	OBJ.	PRICE EACH	TOTAL
	3	As per quote 7/22/98: Dialup Proxy Server configured for Novell BorderManager and max 30 users MTC/Acer Aopen PII-266 Intel; 512k Cache Tower Case Intel Motherboard/LX440 Chipset 128 Meg RAM 1.44 Floppy drive & PCI IDE I/O 104/105 Enhanced Keyboard 4 Gig SCSI Hard drive (applications) 4 Gig SCSI Hard drive (mirrored) Adaptec 2940 Dual Channel SCSI Controller 3 Com 10/100 NIC 14" .28 SVGA Monitor NI 2 Meg PCI Video Board 32x CD ROM drive APC 650 Pro UPS & PowerChute USR 55.6 Modem 36 Month On-site Warranty Install one server JHS w/CyberPatrol Install one server JPS & one server HMS	734	\$ 3,950.00	\$ 11,850.00

Sub Total \$ 11,850.00

Include P.O. Number on all invoices and correspondence.

Shipping & Handling

Please notify us of price increases over 10% of order.

Total Amount \$ 11,850.00

OFFICE USE ONLY: TOTAL BY OBJECT CODE

Supplies (610)	Textbooks (641)	\$ -
Software (612)	Books & Periodicals (642)	\$ -
Expendable Equipment	Equipment (730)	\$ -
Exp. Computer Equip. (613)	Computer (734)	\$ 11,850.00
Repairs (430)	Postage (530)	\$ -

99002

**181 N. Mulberry St.
Jackson, GA 30233
(770) 504-2300 Fax (770) 504-2305**

Address: Direct Ed Sales
Address: Orem, Utah 84057
PHONE: 800-509-1800
FAX: 801-222-2520

Order date:7/24/98	Date:7/24/98	Partial shipments allowed. Cancel backorders after 60 days
SHIP TO: Butts County Schools		BILL TO: BUTTS COUNTY SCHOOLS
181 N. Mulberry St.		181 N. Mulberry Street
Jackson, GA 30233		Jackson, GA 30233

Ordered by: Chandler
Dept.: Lottery FY 99
Approved by Principal: <i>Stat. White</i>

[illegible]

Sub Total	\$ 2,985.00
Shipping & Handling	30
Total Amount	\$ 3,015.00

Supplies (610)	\$ -	Textbooks (641)	\$ -
Software (612)	\$ 3,015.00	Books & Periodicals (642)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ -	Computer (734)	\$ -
Repairs (430)	\$ -	Postage (530)	\$ -

219902

Jackson Elem. School

114 Woodland Way

Jackson, GA 30233

(770) 504-2330 Fax (770) 504-2333

Vendor Name Novell, Inc.

Address: Direct Ed Sales

Address: Orem, Utah 84057

PHONE: 800-509-1800

FAX: 801-222-2520

VENDOR INSTRUCTIONS

Order date: 7/27/98 Date: 7/27/98

Partial shipments allowed. Cancel backorders after 60 days
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SHIP TO: Jackson Elem. School

BILL TO: BUTTS COUNTY SCHOOLS

114 Woodland Way

181 N. Mulberry Street

Jackson, GA 30233

Jackson, GA 30233

INTERNAL USE ONLY

Ordered by:Chandler

Dept.: Schoolwide

Approved by Principal:

[illegible]

Sub Total	\$ 995.00
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Shipping & Handling	10
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Total Amount	\$ 1,005.00
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OFFICE USE ONLY: TOTAL BY OBJECT CODE

Supplies (610)	\$ -	Textbooks (641)	\$ -
Software (612)	\$ 1,005.00	Books & Periodicals (642)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ -	Computer (734)	\$ -
Repairs (430)	\$ -	Postage (530)	\$ -

99007

**181 N. Mulberry St.
Jackson, GA 30233
(770) 504-2300 Fax (770) 504-2305**

Vendor Name Net Planner Systems, Inc.
Address: 3284 Medlock Bridge Rd.
Address: Norcross, GA 30092
PHONE: 770-662-5482
FAX: 770-441-3773

Order date: 8/14/98	Date: 8/14/98	Partial shipments allowed. Cancel backorders after 60 days
SHIP TO: Butts County Schools		BILL TO: BUTTS COUNTY SCHOOLS
181 N. Mulberry St.		181 N. Mulberry Street
Jackson, GA 30233		Jackson, GA 30233

Ordered by: Chandler
Dept. Lottery FY 99 / JCS
Approved by Principal:

[illegible]

Sub Total	\$ 35,225.31
Shipping & Handling	
Total Amount	\$ 35,225.31

Supplies (610)	\$ -	Textbooks (641)	\$ -
Software (612)	\$ -	Books & Periodicals (642)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ -	Computer (734)	\$ -
Repairs (430)	\$	Postage (530)	\$

PURCHASE ORDER NUMBER

99024

Butts Co. Schools

181 N. Mulberry St.
 Jackson, GA 30233
 (770) 504-2300 Fax (770) 504-2305

Vendor Name

MTC

Address:

132 Osigian Blvd.

Address:

Warner Robins, GA 31088

PHONE:

800-689-9301

FAX:

912-953-7994

VENDOR INSTRUCTIONS

Order date: 11/20/98 Date: 11/20/98 Partial shipments allowed. Cancel backorders after 60 days

SHIP TO: Butts County Schools**BILL TO: BUTTS COUNTY SCHOOLS**

181 N. Mulberry St.

181 N. Mulberry Street

Jackson, GA 30233

Jackson, GA 30233

INTERNAL USE ONLY

Ordered by: Chandler

Dept Lottery PY 99

Approved by Principal:

ITEM NO.	QTY.	ITEM DESCRIPTION	OBJ.	PRICE EACH	TOTAL
	1	(As per quote #1259)		\$ 2,400.00	\$ -
		Supply & install 3 Com Baseline 24 port hub to cafeteria			\$ -
		Supply & install 3 Com Baseline 24 port hub to main bldg.			\$ -
		Supply & install (2) Allied-Telesis 100 Mb Media Converters to Cafeteria Bldg.			\$ -
		Supply & install (2) Allied-Telesis 100 Mb Media Converters to Main Bldg.			\$ -
		Supply & install (2) Allied-Telesis 10 Mb Transceivers to Old Ag Building & Gym			\$ -
		Supply & install (2) Allied-Telesis Transceivers MDF			\$ -
		Install (1) 3Com 1100 switch in Main Bldg.			\$ -
		Ref Quote #1246			\$ -
		Install (1) 3Com 1100 switch in Cafeteria Bldg			\$ -
		Ref Quote #1246			\$ -
		Install School Supplied Volksnet Hub & Asante Hub to Gym			\$ -
		Install School Supplied Volksnet Hub & Asante Hub to Old Ag Building			\$ -
		Configure all above listed components to the Network			\$ -
				Sub Total	\$ 2,400.00
				Shipping & Handling	
				Total Amount	\$ 2,400.00

Include P.O. Number on all invoices and correspondence.
 Please notify us of price increases over 10% of order.

OFFICE USE ONLY: TOTAL BY OBJECT CODE

Supplies (810)	\$ -	Textbooks (841)	\$ -
Software (812)	\$ -	Books & Periodicals (842)	\$ -
Expendable Equipment (815)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (816)	\$ -	Computer (734)	\$ -
Repairs (430)	\$ -	Postage (530)	\$ -

dated 11/24/98 PAC

99022

(770) 504-2300 Fax (770) 504-2305

MTC

FAX: 812-953-7994

Jackson, GA 30233

Approved by Principal:

[illegible]

PURCHASE ORDER NUMBER

199000

Jackson Elem. School

114 Woodland Way

Jackson, GA 30233

(770) 504-2330 Fax (770) 504-2333

Vendor Name

MTC

Address:

132 Osigian Blvd.

Address:

Warner Robins, GA 31088

PHONE:

800-889-9301

FAX:

912-853-7884

VENDOR INSTRUCTIONS

Order date: 10/12/98

Date: 10/12/98

Partial shipments allowed. Cancel backorders after 60 days

SHIP TO: Jackson Elem. School

BILL TO: BUTTS COUNTY SCHOOLS

114 Woodland Way

181 N. Mulberry Street

Jackson, GA 30233

Jackson, GA 30233

INTERNAL USE ONLY

Ordered by: Chandler

Dept. Hardware (Media, Guidance, Admin, Instruction, Sch Imp Grant)

Approved by Principal:

ITEM NO.	QTY.	ITEM DESCRIPTION	OBJ.	PRICE EACH	TOTAL
		(as per quote #1229)			\$ -
	1	Acer A/Open Pentium II-400 INTEL; 512 Cache	734	\$ 13,565.00	\$ 13,565.00
		Tower Case with Dual Cooling Fans			\$ -
		Intel N440BX 100 Mhz motherboard 256 Meg RAM, 100 Mhz			\$ -
		1.44 Floppy Drive & PCI IDE/IO			\$ -
		104/105 Enhanced Keyboard			\$ -
		(1) 9 Gig Western Digital UW SCSI HD (apps)			\$ -
		(1) 9 Gig Western Digital UW SCSI HD (mirrored)			\$ -
		(1) Adaptec 3940 UW SCSI Controller			\$ -
		(1) 3Com 10/100 NIC			\$ -
		14" .28 SVGA Monitor NI			\$ -
		Acer 32x Speed CD-ROM			\$ -
		Travan 8 Gig SCSI Tape Drive			\$ -
		(5) Extra Backup Data Tapes			\$ -
		Backup Exec Network Backup Software			\$ -
		APC-1400 NET UPS & PowerChute			\$ -
	1	MDI 7 Drive 12x CD Tower	616	\$ 2,275.00	\$ 2,275.00
		SCSI Cable Kit & SCSI Terminator			\$ -
		Install To School-wide Server			\$ -
		Install & Configure World Book Network CD			\$ -
	1	50 User McAfee Anti Virus	612	\$ 1,135.00	\$ 1,135.00

Sub Total \$ 16,875.00

Include P.O. Number on all invoices and correspondence.

Shipping & Handling

Please notify us of price increases over 10% of order.

Total Amount \$ 16,875.00

OFFICE USE ONLY: TOTAL BY OBJECT CODE

Supplies (610)	\$ -	Textbooks (841)	\$ -
Software (612)	\$ 1,135.00	Books & Periodicals (842)	\$ -
Expendable Equipment (615)	\$ -	Equipment (730)	\$ -
Exp. Computer Equip. (616)	\$ 2,275.00	Computer (734)	\$ 13,565.00
Repairs (430)	\$ -	Postage (530)	\$ -